

# TOWN OF DARIEN PLANNING AND ZONING COMMISSION APPLICATION FORM

Application is hereby submitted for ap Zoning Regulations (check all that ap	-	ce with the following Sections of	f the Darien
Section 810 Coastal Site Plan Rev	view $\square$	Section 1000 Special Permit Requ	uirements
Section 820 Flood Damage Preve	ntion	Section 1020 Site Plan Requireme	ents
Section 850 Land Filling, Excava	tion	Section 1051 Protected Town Lar	ndmarks
and Earth Remove	al	Subdivision Application	
Section 1110 Change of Zoning F	Regulations and/or Zor	ning Map	
Other (specify)			
Property Location:			
Street Address:			
Assessor's Map(s) #	as Lot(s) # _		
Subject property is situated on the	side of	(street)	)
approximately feet	from the cor	ner formed by the intersection of	
	and	(streets).	
Zoning District(s):	_ Size of Site:	square feet,	acres
The subject property $\square$ is $\square$ is no tied in	ot $\square$ as a result o to the Town sanitary		
The subject property $\square$ is $\square$ is not tied in		f this project will become system (Aquarion Water Co.).	
The subject property $\square$ is $\square$ is no	t within 500 feet of	an adjoining municipality.	
Applicant: Name:	<u>Proper</u> Name:	rty Owner:	
Address:	Addre	ss:	
Phone #:	Phone	#:	
E-mail address:	E-mai	l address:	
Signature:	Signat	ure:	

#### DARIEN PLANNING AND ZONING COMMISSION ZONING APPLICATION FORM PAGE 2 OF 3

Name:	
Company/Firm:	Phone #:
Address:	
Email address:	
Signature: R. F. Maslauf	
Summary of proposed activity and development	t:
<del></del>	
(A more detailed explanation should be attached	d to this application).
(A more detailed explanation should be attached	d to this application).
lication Fee of	
	Coning Regulations.
See Appendix B - Schedule of Fees of Darien Z Make checks payable to the "Town of Darien".  requirements under Section 1040 for the applicant'	Zoning Regulations.
See Appendix B - Schedule of Fees of Darien Z Make checks payable to the "Town of Darien".	Coning Regulations.  Cash is not accepted.
See Appendix B - Schedule of Fees of Darien Z Make checks payable to the "Town of Darien". requirements under Section 1040 for the applicant'ers.	Coning Regulations.  Cash is not accepted.
See Appendix B - Schedule of Fees of Darien Z Make checks payable to the "Town of Darien".  requirements under Section 1040 for the applicant' ers.	Coning Regulations.  Cash is not accepted.  s responsibility regarding notification of nearby prope  y the Planning & Zoning Director, all required materia

#### DARIEN PLANNING AND ZONING COMMISSION ZONING APPLICATION FORM PAGE 3 OF 3

The following information is required:

Development Plan(s) completed in accordance with "Site Plan Checklist" – Twelve (12) Sets of Plans including:

	Submitted	Waived	
Existing Conditions based on "A-2" Survey			
Site Development Plan			
Grading and Storm Drainage Management Plan			
Computations and Analysis of Stormwater Runoff			
Landscaping Plan			
Architectural Floor Plans and Elevations			
Utility Plans			
Chart or Table of Zoning Data			
Soil Erosion and Sedimentation Control Plan			
Staging or Phasing Plan			
For Coastal Site Plan Reviews under Section 810 of the Zoning Regula	ations:		
Base Map showing regulated area(s)			
Environmental Assessment Report			
Review of CAM policies & goals			
For Flood Damage Prevention Applications under Section 820 of the	Zoning Regulatio	ons:	
Base Map of Flood Zones and Elevations			
Architectural Floor Plans including elevation of			
each floor level within the structure			
Engineering Report and certification regarding			
impact on flood conditions			
Engineering Report and certification regarding structural sta	bility 🔲		
For Land Filling & Regrading Applications under Section 850 of the 2	Zoning Regulatio	ons:	
Detailed Plans of Existing and Proposed Conditions			
Report Detailing Operation methods, and Evaluating Impact	ts $\square$		
For Special Permit Applications under Section 1000 of the Zoning Reg	gulations:		
Detailed Statement of Existing & Proposed Uses			
Traffic Report addressing Trip Generation, Traffic			
Movement and Parking Requirements			

# BAYWATER CORBIN PARTNERS, LLC CORBIN SUBAREA DEVELOOPMNET

MAY 29, 2018

111771 20, 2010

#### **APPLICATION ADDENDUM**

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# LIST OF PROPERTIES AND OWNERS INVOLVED IN PROPOSED DEVELOPMENT

1034 Boston Post Road Map 72, Lot(s) 13	Vinkath Realty LLC 1044 Boston Post Road Darien, CT 06820
10 Corbin Drive Map 72, Lot(s) 14	Baywater Corbin LLC c/o Baywater Properties 1019 Boston Post Road Darien, CT 06820
1078 Boston Post Road Rear Map 72, Lot(s) 16	Baywater 1078 BPR 2 LLC 1019 Boston Post Road Darien, CT 06820
1978 Boston Post Road Rear Map 72, Lot(s) 17	Baywater 1078 BPR LLC c/o Baywater Properties 1019 Boston Post Road Darien, CT 06820
Boston Post Road Map 72, Lot(s) 18	Baywater 1096 BPR LLC 1019 Boston Post Road Darien, CT 06820
1082 Boston Post Road Rear Map 72, Lot(s) 19	Baywater 1082 BPR LLC 1019 Boston Post Road Darien, CT 06820
1082 Boston Post Road Map 72, Lot(s) 20	Baywater 1084 BPR LLC 1019 Boston Post Road Darien, CT 06820

1090 Boston Post Road Map 72, Lot(s) 21	Baywater 1090 BPR LLC 1019 Boston Post Road Darien, CT 06820
1090 Boston Post Road Map 72, Lot(s) 21A	Baywater 1090 BPR LLC 1019 Boston Post Road Darien, CT 06820
1096 Boston Post Road Map 72, Lot(s) 22	Baywater 1096 BPR LLC 1019 Boston Post Road Darien, CT 06820
1120 Boston Post Road Map 72, Lot(s) 23-24	Guernsey Realty Company Inc c/o F & F Management Company P.O. Box 2186 Stamford, CT 06906
15 Corbin Drive Map 72, Lot(s) 25	CFW LLC P.O. Box 355 Trumbull, CT 06611
37 Corbin Drive Map 72, Lot(s) 26	Estate of Paul D. Tibbetts Judith P Tibbetts 37 Corbin Drive Darien, CT 06820
30 Corbin Drive Map 72, Lot(s) 27	Baywater 30 Corbin LLC c/o Baywater Properties 1019 Boston Post Road Darien, CT 06820
Corbin Drive Map 72, Lot(s) 27A	Baywater 30 Corbin LLC c/o Baywater Properties 1019 Boston Post Road Darien, CT 06820

# APPLICATION OF BAYWATER CORBIN PARTNERS, LLC CORBIN SUBAREA DEVELOPMENT PROJECT

MAY	29,	<b>20</b> 1	8
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#### **APPLICATION INDEX**

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Narrative	A-1 to A-5
Petition to Amend Zoning Map and Regulations with cover letter to Town Clerk	A-6 to A-9
Map & List of Properties within 100 Feet of Subject Properties	A-10 to A-13

#### Additional Submissions:

**Environmental Assessment** 

Parking Demand and Parking Management Plan

Sanitary Sewer System Capacity Analysis

Traffic Impact Study

**Engineering Report** 

Survey Maps (5 sheets total):

Compilation Plan Depicting Boundaries of Proposed Corbin Subarea Prepared for Baywater Properties

Topographic and Zoning Location Survey Depicting Existing Conditions, Boston Post Road, Corbin Drive, Old Kings Highway South, Prepared for Baywater Properties (2 sheets) Zoning Location Survey Depicting Proposed Conditions Plot "A," Boston Post Road, Corbin Drive, Old Kings Highway South, Prepared for Baywater Properties

Zoning Location Survey Depicting Proposed Conditions Plot "B", Boston Post Road, Corbin Drive, Old Kings Highway South, Prepared for Baywater Properties

Engineering Site Plans prepared by Tighe & Bond (29 sheets)
Landscape and Lighting Plans prepared by Towers Golde (9 sheets)
Architectural Plans prepared by Beinfield Architecture (20 sheets)
List of Owners of Properties involved in Project with Authorization
Letters and Copies of Deeds (one set for file)

### BAYWATER CORBIN PARTNERS, LLC

#### **CORBIN SUBAREA DEVELOPMENT PROJECT**

MAY 25, 2018
NARRATIVE

#### I. <u>INTRODUCTION</u>

The applicant, Baywater Corbin Partners, LLC ("Baywater"), has developed several properties in downtown Darien, including 1020 Boston Post Road, 745 Boston Post Road, 17 Old Kings Highway South, and 1340 Boston Post Road. Baywater's partner, PG Properties, has also been a prolific developer in Darien, having built many of Darien's finest homes, as well as Grove Street Plaza, 1292 Boston Post Road, and Knobel Hill.

Baywater has assembled several properties located in the Corbin Subarea of the Central Business District, and is working with other property owners within the project area to demolish all of the existing buildings within the Corbin Subarea, and to build an integrated development consisting of retail, restaurant, office and residential uses.

The project property is located in the Downtown area of Darien and is bounded on the north by Boston Post Road, to the east by the 1020 Boston Post Road and 36 Old Kings Highway South, to the south by Old Kings Highway South and Interstate 95, and to the west by the westbound Exit 11 exit ramp. The Darien Metro North Railroad Station is located less than a quarter-mile to the north of the project site. The site currently houses Bank of America, the Darien Times, a gas station and automotive service facility, a U.S. Post Office branch and several other retail and office buildings containing approximately 52,579 square feet of retail space and 45,961 square feet of office space.

The plan includes demolishing all the existing structures to create a mixed-use project that will include retail shops, restaurants, office spaces and upscale apartments on the upper floors, with sufficient off-street parking to satisfy the parking requirements of the development, and new internal drives to address traffic circulation in and around the project. An enhanced pedestrian environment will be created within the project site and along abutting public roads. Baywater's program envisions the construction of approximately 117 luxury apartments, 81,200 square feet of Class A office space, 81,730 square feet of ground floor retail, 16,910 square feet for quality restaurants and other food service providers in eight buildings. The Site will provide 744 parking spaces including 22 handicap accessible spaces. The proposed project is expected to be completed in 2022.

Required below market (affordable) housing units will be located onsite and at 26 East Lane, and a separate application for that site are pending. Baywater proposes to provide 12 units of affordable housing for adults with special needs or seniors at 26 East Lane, and 2 units of affordable housing within the Corbin Subarea. Baywater also proposes to make a contribution to Darien's Affordable Housing Trust Fund for the balance of its requirement (equal to the 0.04 unit not created).

The Baywater Corbin project will create a live, work, play, environment, and a destination all its own. The project will include the design and subsequent reconstruction of street components to advance the principles of Complete Streets, including traffic calming, sidewalk expansion, and improvements to the streetscape such as lighting, paving, landscaping and street furniture. The intersection improvements are intended to calm traffic by creating crosswalk extensions, add accessibility improvements and integrate traffic signals to allow improved traffic management, giving increased priority to pedestrians and better managing peak hour traffic movements

#### II. PROJECT OVERVIEW

The redevelopment of the Corbin Subarea represents an important opportunity to reinforce Darien's downtown as the vital, pedestrian-oriented center of town. Street level retail and restaurant uses will add critical mass to the shopping district. Residents will live in a truly walkable community in which they can commute to New York City, go to the grocery store, go clothes shopping or out to dinner and the movies, all without needing their cars.

The project as proposed includes two classic elements of New England towns--a town green and a "Main Street." The planning for the project takes cues from great European villages with the creation of a variety of public spaces that ask to be discovered and explored.

Corbin Drive is ideally suited to take on the role of "Main Street." Its location at the center of the shopping district, and perpendicular orientation to the Boston Post Road, along with its scale and relatively low traffic count, give it the proper ingredients.

The architectural vocabulary proposed is derived from the simple charm and character of New England towns. The building form does not read as one large structure, but rather as an assemblage of buildings that were constructed incrementally, over time. The design offers both diversity and continuity of architectural form, with the buildings as a backdrop for a vital pedestrian streetscape. The pattern of windows in the building facades has been studied and composed with scale, proportion, balance and rhythm in mind. The windows are typically taller than they are wide, as was typical in buildings built prior to the 20th century.

The buildings and place making strategies are designed to fit into the existing fabric of downtown. The building proposed to sit next to 1020 Boston Post Road is designed as a companion to that structure, sharing a similar style, to complete the block facing Boston Post Road east of Corbin Drive. A brick mill

building type has been introduced to house the retail anchor closest to Exit 11. There is a hierarchy of different building typologies that respond to the traditional building types in downtown districts. Most of the buildings are simple background structures that contribute by fitting in, with more prominent foreground buildings placed as architectural focal points, where dictated by axial relationships.

#### III. PERMITTING REQUIREMENTS

This Application requests the following Planning and Zoning Commission approvals:

- 1. An amendment to the Darien Zoning Map by moving the easterly boundary of the Corbin Subarea to the east;
- An amendment to the Darien Zoning Regulations to allow on-site processing of material on larger construction sites in non-residential zones;
- 3. Business Site Plan Review and Special Permit, as required by the Darien Zoning Regulations; and
- 4. Excavation and Filling Permit to allow the necessary earth work;
- 5. Flood Damage Prevention Permit, to allow work to be done in the small area adjacent to the Goodwives River.

In addition, the project requires approvals from the Darien Architectural Review Board and Environmental Protection Commission.

The project also requires approvals from the Darien Department of Public Works and Sewer Commission, The Darien Traffic Authority (Police Commission), the Darien Fire Marshal, the Connecticut Department of Transportation Office of Traffic Administration, and Department of Environmental Protection, and the U.S. Army Corps of Engineers. The project development team is also working with public utilities for electric, water and natural gas services to the project.

The following is a summary of each approval requested in this Application:

#### A. Amendment of Zoning Map

Baywater proposes to relocate the current boundary of the Corbin Subarea from its current location along the rear property boundaries of 15 and 37 Corbin Drive. The revised line will add 0.1697± acre to the existing Corbin Subarea, and result in deeper, more regularly shaped lots that will be sufficient for new buildings consistent in design of the other proposed buildings on Corbin Drive. A more detailed description of the proposed revision is set forth at A-6 to A-9.

#### B. Amendment of Darien Zoning Regulations

Baywater requests amendments to the Zoning Regulations that would allow required below market rate dwelling units to be located off-site, and to allow

processing of material on project sites greater than three acres in business zones to done on-site. A more detailed proposal is set forth at A-7 to A-8.

#### C. Business Site Plan Review and Special Permit

The project requires business site plan review and a special permit. The proposed development complies with the Corbin Subarea regulations, and the other regulations that govern development in the Corbin Subarea. The following aspects of the project are addressed in accompanying site plans and reports:

#### 1 Site Engineering

The project engineers, Tighe & Bond, have prepared a detailed Engineering Report that addresses stormwater management, floodplain management, site utilities and Soil Erosion and Sedimentation Control, and a set of site plans.

#### 2 Sanitary Sewer

Tighe & Bond has prepared a detailed Sanitary Sewer System Capacity Analysis, and detailed sanitary sewer plans.

#### 3 Traffic and Parking

Tighe & Bond has prepared a detailed Traffic Impact Study analyzing traffic under the existing conditions and the impacts of the proposed project. A separate Parking Demand and Parking Management Plan analyzes parking demands under the existing and proposed conditions. Traffic control features and parking areas are incorporated in the accompanying site plans.

#### 4 Inland Wetlands and Watercourses

The project includes a modification of an existing watercourse that runs along the eastern edge of the project, and the creation of a detention basin at the easterly corner of the intersection of Intersection of Corbin Drive and Old Kings Highway South. These activities require approval of the Environmental Protection Commission.

Tighe & Bond has prepared an Environmental Assessment describing the proposal to culvert the existing open watercourse, and addressing impacts.

#### 5 Architectural Plans

Beinfield Architecture has prepared a full set of architectural plans for the project.

#### IV. <u>CONCLUSION</u>

Baywater acquired the bulk of the site required for this project through 10 acquisitions over an 11-year period and has been collaborating with neighboring

property owners to create a generational opportunity to transform the downtown of Darien which respects its character and history. The project will create in-town housing, which will enable Darien to attract and retain empty nesters who have in recent years been leaving Darien for Rowayton, New Canaan, and other nearby towns. Through the creation of additional office space in the CBD, the project will also create an opportunity to bring new businesses to Darien which will support our retail and restaurants. Baywater will also be able to create affordable housing for a population that has been historically massively underserved, adults with special needs.

### MASLAN ASSOCIATES P.C.

Attorneys at Law

Robert F. Maslan, Jr.\*
\*Also Admitted In New York

30 OLD KINGS HIGHWAY SOUTH DARIEN, CONNECTICUT 06820 TELEPHONE (203) 656-3800 FACSIMILE (203) 656-1624 Legal Assistant Suzann C. Maslan

Writer's e-mail: RMaslan@maslanlaw.com

May 29, 2018

Donna Rajczewski, Town Clerk Town of Darien 2 Renshaw Road Darien, CT 06820

Re: Petition to Amend Zoning Map and Zoning Regulations

Dear Madam Clerk:

We represent Baywater Corbin Partners, LLC. Please accept for recording this letter and the attached Petition to Amend Zoning Map and Regulations. A map depicting the proposed revision to the Corbin Subarea is also attached.

As you know, proposed zoning regulation amendments must be filed with the Town Clerk.

Please stamp the additional two copies, one for the Planning and Zoning Department, and one for our file.

Please feel free to call us if any additional information is required.

Thank you.

Very truly yours,

Robert F. Maslan, J

Attachments

cc: Baywater Corbin Partners, LLC
Jeremy B. Ginsberg, Town Planner

#### **BAYWATER CORBIN PARTNERS, LLC**

#### CORBIN SUBAREA DEVELOPMENT PROJECT

MAY	29,	2018	

#### PETITION TO AMEND ZONING MAP AND REGULATIONS

The applicant, Baywater Corbin Partners, LLC, petitions the Planning and Zoning Commission to amend the Darien Zoning Regulations and Zoning Map as follows:

- 1. Amend the Darien Zoning Map by moving the easterly boundary of the Corbin Subarea as depicted on the accompanying map entitled, "Compilation Plan Depicting Boundaries of Proposed Corbin Subarea, Prepared for Baywater Properties, Corbin Drive & Boston Post Road," dated March 3, 2016, and last revised May 25, 2018.
- Amend the Darien Zoning Regulations by revising Section 856 as follows (deleted language crossed through, added language underlined):

#### 856. Prohibited Operations

- <u>a.</u> No land fill, excavation, regrading or earth removal operation permitted by these Regulations shall at any time result in, leave, or permit to exist, during construction or afterward, any sharp declivities, pits or depressions, any loose banks or water-filled holes or other major hazards.
- <u>b.</u> No land fill shall make use of decomposable or other unstable material likely to cause future land subsidence, nor of material likely to cause pollution of soil or groundwater.
- <u>c.</u> No Except as provided in this section 856, no land fill, excavation, regrading or earth removal operation shall engage in or permit to be operated on the site any processing, sorting, crushing, grading, mixing, fabrication, or similar activities.
- d. The Commission may allow processing, sorting, crushing, grading, mixing, fabrication, or similar activities to be conducted on project sites in commercial zones, provided that

- 1. such sites are greater than three acres in area,
- 2. such activities shall not be conducted before 9:00 am or after 5:00 pm during weekdays, and not on weekends or legal holidays,
- 3. adequate provisions shall be implemented to prevent dust from being blown from the site,
- 4. the Commission shall find that noise levels generated by such activities shall not impact neighboring properties; and
- 5. on-site processing equipment shall not be used to process material that does not originate on the site or is not for use on the site.

The proposed amendments are consistent with the Darien Town Plan of Conservation and Development. The slight extension of the Corbin Subarea will facilitate development of the easterly side of Corbin Drive, and is consistent with the recommendations that supported the creation of the Corbin Subarea.

The proposed subsection allowing on-site processing of material is also consistent with the Town Plan of Conservation in that on-site processing on large construction sites—i.e., sites over 3 acres—will avoid excessive wear and tear on public streets resulting from construction vehicles transporting material off the construction site for processing and bringing processed material back to the site. The proposed regulation does not permit on-site processing of material that does not originate on the site.

Town of Darien, CT May 22, 2018

### Map of Properties Within 100 Feet of Subject Properties



#### Property Information

Property ID 06422

Location 11 Owner G

1120 BOSTON POST ROAD GUERNSEY REALTY COMPANY INC



## MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

Town of Darien, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 10/1/2017 Properties updated 10/1/2017

# BAYWATER CORBIN PARTNERS, LLC CORBIN SUBAREA DEVELOPMENT

MAY 29, 2018

#### **LIST OF NEIGHBORING PROPERTY OWNERS**

Map 73 Lot 11	Whitman Foods LLC 1041 Boston Post Road Darien, CT 06820
Map 73 Lot 12	Robert L. Mazza 1031 Boston Post Road Darien, CT 06820
Map 38 Lot 19 & 20	Baywater 33 OKHS LLC c/o Baywater Properties 1019 Boston Post Road Darien, CT 06820
Map 72 Lot 28	Baywater 36 OKHS LLC c/o Baywater Properties 1019 Boston Post Road Darien, CT 06820
Map 73 Lot 10	ELD Street Properties LLC c/o Pyramid Real Estate Group 20 Summer Street Stamford, CT 06901
Map 72 Lot 11	Baywater Post Road Associates II LLC c/o Baywater Properties 1019 Boston Post Road Darien, CT 06820
Map 73 Lot 5	1101 Boston Post Road Investments Inc c/o Westfair Property Management, Inc. 56 Lafayette Avenue, Suite 360 White Plains, NY 10603

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Map 73 Lot 13	Baywater 1025 BPR LLC 1019 Boston Post Road Darien, CT 06820
Map 72 Lot 29	John W. Sheppard, Jr., LLC P.O. Box 1152 Darien, CT 06820
Map 32 Lot 15	390 Post Road LLC c/o Cecilia Cavolo 11 Holly Cove Circle Stamford, CT 06902
Map 73 Lot 6	390 Post Road LLC c/o Cecilia Cavolo 11 Holly Cove Circle Stamford, CT 06902
Map 73 Lot 1&2 3&4	1127 Post Road LLC 1127 Boston Post Road Darien, CT 06820
Map 73 Lot 7 & 42	Pear Partners LLC c/o Collins Enterprises LLC 1455 East Putnam Avenue, 2nd Floor Old Greenwich, CT 06870
Map 38 Lot 19	Baywater 33 OKHS LLC c/o Baywater Properties 1019 Boston Post Road Darien, CT 06820
Map 38 Lot 20	Baywater 33 OKHS LLC c/o Baywater Properties 1019 Boston Post Road Darien, CT 06820
Map 73 Lot 9	William H Pitt Foundation Inc. 170 Washington Blvd. Stamford, CT 06902
Map 73 Lot 8	Greenwich Manor LLC P.O. Box 234634 Great Neck, NY 11023

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Map 73 Lot 14	1019-1021 Post Road Assoc LLC 1019 Boston Post Road Darien, CT 06820
Map 38 Lot 17 & 18	Burrus Darien Investors, LLC c/o ATC Group Inc. 73 Arch Street Greenwich, CT 06830
Map 72 Lot 30, 31, 32, 33	28-30 Associates LLC 36 Maple Place Second Floor Manhasset, NY 11030
Map 72 Lot 42	Town of Darien 2 Renshaw Road Darien, CT 06820
Map 72 Lot 10	Dolman Properties LLP 117 Prospect Street Stamford, CT 06901
Map 73 Lot 15	Kleban Day Street LLC 1189 Post Road Suite 3B Fairfield, CT 06824